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Third Committee
Agenda item 112
Advancement of women

Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Barbados, Belgium, Benin, Bhutan, Bolivia, Bosnia and Herzegovina, Canada, Chile, Costa Rica, Croatia, Cyprus, Democratic Republic of the Congo, Denmark, Dominican Republic, Ecuador, Fiji, Finland, France, Germany, Greece, Guatemala, Hungary, Iceland, Ireland, Israel, Italy, Kenya, Latvia, Liechtenstein, Lithuania, Luxembourg, Madagascar, Malawi, Mexico, Mongolia, Namibia, Netherlands, New Zealand, Niger, Norway, Paraguay, Peru, Philippines, Poland, Portugal, Republic of Korea, Republic of Moldova, Romania, Saint Lucia, Slovakia, Slovenia, Spain, Sweden, Thailand, the former Yugoslav Republic of Macedonia, Uganda, Ukraine, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, Uruguay and Venezuela: draft resolution

Convention on the Elimination of All Forms of Discrimination against Women

The General Assembly,

Recalling its resolution 55/70 of 4 December 2000 and its previous resolutions on the elimination of discrimination against women,

Bearing in mind that one of the purposes of the United Nations, as stated in Articles 1 and 55 of the Charter, is to promote universal respect for human rights and fundamental freedoms for all without distinction of any kind, including distinction as to sex,

Affirming that women and men should participate equally in social, economic and political development, should contribute equally to such development and should share equally in improved conditions of life,

Recalling the Vienna Declaration and Programme of Action adopted by the World Conference on Human Rights on 25 June 1993,[1] in which the Conference

[1] A/CONF.157/24 (Part I), chap. III.

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reaffirmed that the human rights of women and the girl child were an inalienable, integral and indivisible part of universal human rights,

Acknowledging the need for a comprehensive and integrated approach to the promotion and protection of the human rights of women, which includes the integration of the human rights of women into the mainstream of United Nations activities system-wide,

Reaffirming the commitments made in the political declaration[2] and the outcome document[3] of the twenty-third special session of the General Assembly, entitled "Women 2000: gender equality, development and peace for the twenty-first century", in particular paragraph 68 (c) and (d) concerning the Convention on the Elimination of All Forms of Discrimination against Women[4] and the Optional Protocol thereto,[5]

Recalling that in the United Nations Millennium Declaration[6] heads of State and Government resolved to implement the Convention on the Elimination of All Forms of Discrimination against Women,

Welcoming the progress made in the implementation of the Convention, but expressing concern about the remaining challenges,

Welcoming also the growing number of States parties to the Convention, which now stands at one hundred and sixty-eight,

Welcoming further the entry into force of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women on 22 December 2000,

Bearing in mind the recommendation of the Committee on the Elimination of Discrimination against Women that national reports should contain information on the implementation of the Platform for Action adopted by the Fourth World Conference on Women,[7] in accordance with paragraph 323 of the Platform,

Having considered the report of the Committee on its twenty-fourth and twenty-fifth sessions,[8]

Expressing concern at the great number of reports that are overdue and that continue to be overdue, in particular initial reports, which constitutes an obstacle to the full implementation of the Convention,

1. *Welcomes* the report of the Secretary-General[9] on the status of the Convention on the Elimination of All Forms of Discrimination against Women;[4]

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[2] Resolution S-23/2, annex.
[3] Resolution S-23/3, annex.
[4] Resolution 34/180, annex.
[5] Resolution 54/4, annex.
[6] See resolution 55/2.
[7] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annex II.
[8] *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 38* (A/56/38), parts one and two.
[9] A/56/328.

2. *Expresses disappointment* that universal ratification of the Convention was not achieved by 2000, and urges all States that have not yet ratified or acceded to the Convention to do so;

3. *Emphasizes* the importance of full compliance by States parties with their obligations under the Convention and the Optional Protocol thereto;

4. *Welcomes* the rapidly growing number of State parties to the Optional Protocol, which now stands at twenty-eight, and urges other States parties to the Convention to consider signing and ratifying or acceding to the Optional Protocol;

5. *Welcomes also* the fact that the Committee on the Elimination of Discrimination against Women has adopted the rules governing its work under the Optional Protocol as part of its revised rules of procedure;[10]

6. *Notes* that some States parties have modified their reservations, expresses satisfaction that some reservations have been withdrawn, and urges States parties to limit the extent of any reservations that they lodge to the Convention, to formulate any such reservations as precisely and as narrowly as possible, to ensure that no reservations are incompatible with the object and purpose of the Convention or otherwise incompatible with international treaty law, to review their reservations regularly with a view to withdrawing them and to withdraw reservations that are contrary to the object and purpose of the Convention or that are otherwise incompatible with international treaty law;

7. *Urges* States parties to the Convention to make every possible effort to submit their reports on the implementation of the Convention in accordance with article 18 thereof and with the guidelines provided by the Committee on the Elimination of Discrimination against Women and to cooperate fully with the Committee in the presentation of their reports;

8. *Encourages* the Secretariat to extend further technical assistance to States parties, upon their request, in the preparation of reports, in particular initial reports, and invites Governments to contribute to these efforts;

9. *Commends* the Committee on its contributions to the effective implementation of the Convention;

10. *Strongly urges* States parties to the Convention to take appropriate measures so that acceptance of the amendment to article 20, paragraph 1, of the Convention by a two-thirds majority of States parties can be reached as soon as possible in order for the amendment to enter into force;

11. *Expresses its appreciation* for the additional meeting time that allows the Committee to hold two sessions annually, each session of three weeks' duration and each preceded by a pre-sessional working group of the Committee;

12. *Expresses its appreciation also* for the efforts made by the Committee to improve the efficiency of its working methods, and encourages further efforts in this regard;

13. *Acknowledges* the number of reports awaiting consideration by the Committee and, in this regard, decides to authorize the Committee to hold, on an

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[10] *Official Records of the General Assembly, Fifty-sixth Session, Supplement No. 38* (A/56/38), annex I.

exceptional basis, an extraordinary session of three weeks' duration in 2002 to be used entirely for the consideration of the reports of the States parties in order to reduce the backlog of reports, and to enlarge the membership of the pre-sessional working group in 2002 in order to prepare for the exceptional session of the Committee, taking into account decision 25/I of the Committee;[11]

14. *Requests* the Secretary-General, in accordance with General Assembly resolution 54/4 of 6 October 1999, to provide the resources, including staff and facilities, necessary for the effective functioning of the Committee within its full mandate, in particular taking into account the entry into force of the Optional Protocol;

15. *Urges* Governments, agencies and organizations of the United Nations system and intergovernmental and non-governmental organizations to disseminate the Convention and the Optional Protocol thereto;

16. *Encourages* all relevant entities of the United Nations system, within their mandates, as well as Governments and intergovernmental and non-governmental organizations, in particular women's organizations, as appropriate, to continue to assist States parties, upon their request, in implementing the Convention, and in this regard encourages States parties to pay attention to the concluding comments as well as the general recommendations of the Committee;

17. *Encourages also* all relevant parts of the United Nations system to continue to build women's knowledge and understanding of and capacity to utilize human rights instruments, in particular the Convention and the Optional Protocol thereto;

18. *Welcomes* the submission by the specialized agencies at the invitation of the Committee of reports on the implementation of the Convention in areas falling within the scope of their activities and the contribution of non-governmental organizations to the work of the Committee, and encourages the specialized agencies to continue to submit reports;

19. *Requests* the Secretary-General to submit to the General Assembly at its fifty-seventh session a report on the status of the Convention on the Elimination of All Forms of Discrimination against Women and the implementation of the present resolution.

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[11] See ibid., part two, chap. I.

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Bangladesh, Belgium, Cambodia, Chile, Colombia, Democratic Republic of the Congo, Ecuador, Marshall Islands, Mexico, Mongolia, Nicaragua, Panama, Peru, Philippines, Portugal, Saint Vincent and the Grenadines, Suriname, the former Yugoslav Republic of Macedonia and United Republic of Tanzania: draft resolution

Violence against women migrant workers

The General Assembly,

Recalling all previous resolutions on violence against women migrant workers adopted by the General Assembly, the Commission on the Status of Women, the Commission on Human Rights and the Commission on Crime Prevention and Criminal Justice and the Declaration on the Elimination of Violence against Women,[1]

Reaffirming the outcome of the World Conference on Human Rights,[2] the International Conference on Population and Development,[3] the Fourth World Conference on Women[4] and the World Summit for Social Development,[5] and their five-year reviews, specifically as the results pertain to women migrant workers,

Taking note of the various activities initiated by entities in the United Nations system such as the expert group meeting held by the United Nations International Research and Training Institute for the Advancement of Women and the International Organization for Migration at Geneva on 19 and 20 August 1999, the international workshop initiated by the International Organization for Migration on best practice concerning migrant workers and their families, held at Santiago on 19

[1] Resolution 48/104.
[2] A/CONF.157/24 (Part I), chap. III.
[3] *Report of the International Conference on Population and Development, Cairo, 5-13 September 1994* (United Nations publication, Sales No. E.95.XIII.18), chap. I, resolution 1, annex.
[4] *Report of the Fourth World Conference on Women, Beijing, 4-15 September 1995* (United Nations publication, Sales No. E.96.IV.13), chap. I, resolution 1, annexes I and II.
[5] *Report of the World Summit for Social Development, Copenhagen, 6-12 March 1995* (United Nations publication, Sales No. E.96.IV.8), chap. I, resolution 1, annexes I and II.

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and 20 June 2000, a seminar on women immigrants, organized by the United Nations Development Fund for Women and the Argentine National Institute against Discrimination, Xenophobia and Racism at Buenos Aires in July 2001, and other activities that continue to assess and alleviate the plight of women migrant workers,

Emphasizing the need for objective, comprehensive, broad-based information, including the possible establishment of a database for research and analysis, and a wide exchange of experience and lessons learned by individual Member States and civil society in the formulation of policies and concrete strategies to address the problem of violence against women migrant workers,

Encouraging the continued participation of civil society in developing and implementing appropriate measures to support innovative partnerships among public agencies, non-governmental organizations and other members of civil society for combating violence against women migrant workers,

Noting the large numbers of women from developing countries and some countries with economies in transition who continue to venture forth to more affluent countries in search of a living for themselves and their families as a consequence of poverty, unemployment and other socio-economic conditions, and acknowledging the duty of the countries of origin to work for conditions that provide employment and economic security for their citizens,

Expressing deep concern over the continuing reports of grave abuses and acts of violence committed against women migrant workers,

Realizing that the movement of a significant number of women migrant workers may be facilitated and made possible by means of fraudulent or irregular documentation and sham marriages with the object of migration, that this may be facilitated through, inter alia, the Internet, and that these women migrant workers are more vulnerable to abuse and exploitation,

Acknowledging the economic benefits that accrue to both the country of origin and the country of destination from the employment of women migrant workers,

Recognizing the importance of joint and collaborative approaches and strategies at the bilateral, regional, interregional and international levels in protecting and promoting the rights and welfare of women migrant workers,

Also recognizing the importance of exploring the link between migration and trafficking,

Encouraged by some measures adopted by some countries of destination to alleviate the plight of women migrant workers residing in their areas of jurisdiction,

Underlining the important role of relevant United Nations treaty bodies in monitoring the implementation of human rights conventions and the relevant special procedures, within their respective mandates, in addressing the problem of violence against women migrant workers and in protecting and promoting their rights and welfare,

1. *Takes note* of the report of the Secretary-General;[6]

[6] A/56/329.

2. *Also takes note* of the reports of the Special Rapporteur on the human rights of migrants[7] and of the Special Rapporteur on violence against women, its causes and consequences,[8] as regards violence against women migrant workers, and encourages them to continue to address the issue of violence against women migrant workers and their human rights, in particular the problem of gender-based violence and of discrimination, and trafficking of women;

3. *Requests* all Governments to continue to cooperate fully with both special rapporteurs in the performance of their tasks and mandated duties and to furnish all information requested, including by reacting promptly to the urgent appeals of the rapporteurs;

4. *Encourages* Governments, in particular those of the countries of origin and destination, to share information on violence against women migrant workers with the Special Rapporteur on the human rights of migrants with a view to requesting the Special Rapporteur to recommend concrete measures and actions to address the problem;

5. *Encourages also* Governments to give serious consideration to inviting the Special Rapporteur to visit their countries so as to enable him or her to fulfil the mandate effectively;

6. *Urges* concerned Governments, in particular those of the countries of origin and destination, to strengthen further their national efforts to protect and promote the rights and welfare of women migrant workers, including through sustained bilateral, regional, interregional and international cooperation, by developing strategies and joint action and taking into account the innovative approaches and experiences of individual Member States, and to establish and maintain continuing dialogues to facilitate the exchange of information;

7. *Also urges* concerned Governments, in particular those of the countries of origin and destination, to support and allocate appropriate resources for programmes aimed at strengthening preventive action, in particular information for target groups, education and campaigns to increase public awareness of this issue at the national and grass-roots levels, in cooperation with non-governmental organizations;

8. *Notes with appreciation* the adoption by Member States, including countries of origin, transit and destination, of measures to inform women migrant workers of their rights and the benefits to which they are entitled and encourages other Member States to adopt appropriate measures in this regard;

9. *Calls upon* concerned Governments, in particular those of the countries of origin and destination, if they have not done so, to put in place penal and criminal sanctions to punish perpetrators of violence against women migrant workers and, to the extent possible, to provide, and to encourage non-governmental organizations to provide, victims of violence with the full range of immediate assistance and protection, such as counselling, legal and consular assistance, temporary shelter and other measures, that will allow them to be present during the judicial process, as well as to establish reintegration and rehabilitation schemes for returning women migrant workers to their countries of origin;

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[7] E/CN.4/2001/83 and Add.1.

[8] E/CN.4/2001/73 and Add.1-2.

10. *Encourages* concerned Governments, in particular those of the countries of origin and destination, to support and, if they have not done so, to formulate and implement training programmes for their law enforcers, prosecutors and service providers with a view to instilling among those public sector workers the necessary skills and attitude to ensure the delivery of proper and professional interventions for women migrant workers who are subjected to abuse and violence;

11. *Also encourages* concerned Governments, in particular those of the countries of origin and destination, to adopt measures or strengthen existing ones to regulate the recruitment and deployment of women migrant workers, including considering the adoption of appropriate legal measures against intermediaries who deliberately encourage the clandestine movement of workers and who exploit women migrant workers;

12. *Invites* Governments to identify the causes of undocumented migration and its economic, social and demographic impact, as well as its implications for the formulation and application of social, economic and migration policies, including those relating to women migrant workers;

13. *Encourages* concerned Governments, in particular those of the countries of origin, transit and destination, to avail themselves of the expertise of the United Nations, including the Statistics division of the Secretariat and other relevant bodies, such as the International Research and Training Institute for the Advancement of Women, to develop appropriate national data-collection methodologies that will generate comparable data on violence against women migrant workers as bases for research and analyses of the subject;

14. *Encourages* Member States to consider signing and ratifying or acceding to relevant International Labour Organization conventions and to consider signing and ratifying or acceding to the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families,[9] as well as the Slavery Convention of 1926;[10]

15. *Welcomes* the adoption by the General Assembly of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children[11] and the Protocol against the Smuggling of Migrants by Land, Sea and Air,[12] supplementing the United Nations Convention against Transnational Organized Crime,[13] and encourages Governments to consider signing and ratifying or acceding to the Protocols;

16. *Encourages* the Committee on the Elimination of Discrimination against Women to consider developing a general recommendation on the situation of women migrant workers;

17. *Requests* the Secretary-General to submit to the General Assembly at its fifty-eighth session a report on the problem of violence against women migrant workers and on the implementation of the present resolution, taking into account updated information from the organizations of the United Nations system, in

[9] Resolution 45/158, annex.
[10] United Nations, *Treaty Series*, vol. 212, No. 2861.
[11] Resolution 55/25, annex II.
[12] Ibid., annex III.
[13] Ibid, annex I.

particular the International Labour Organization, the United Nations Development Programme, the United Nations Development Fund for Women and the International Research and Training Institute for the Advancement of Women, and the International Organization for Migration and other relevant sources, including non-governmental organizations.